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CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
BY: CP DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Keith Dwight FREEMAN** Defendant.	Magistrate Case No. '08 MJ 1626
	COMPLAINT FOR VIOLATION OF
	Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Alien(s) Without Presentation

The undersigned complainant being duly sworn states:

On or about **May 24, 2008**, within the Southern District of California, defendant **Keith Dwight FREEMAN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Elvira VENTURA-Morales, Fabiana DIAZ-Casas, Antonio LOPEZ-Jara and Francisco LEON-Felipe** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **27th** day of **May, 2008**.

UNITED STATES MAGISTRATE JUDGE

I, United States Customs and Border Protection (CBP) Enforcement Officer Jacob James, declare under penalty of perjury the following to be true and correct:

The complainant states that Jose Francisco LEON-Felipe, Antonio LOPEZ-Jara, Fabiana DIAZ-Casas, and Elvira VENTURA-Morales are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On May 24, 2008 at approximately 1430 hours, Keith Dwight FREEMAN (Defendant) made application for admission into the United States from Mexico through vehicle primary lanes at the San Ysidro Port of Entry. Defendant was the driver of a white Chevrolet Silverado bearing California license plates. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant presented as his own a United States Passport and California Driver License bearing his photograph and the name John Paul MAYES. Defendant claimed ownership of the vehicle, stated he was going to San Diego California and gave a negative customs declaration. CBP Officer suspected the United States Passport and Driver License were counterfeit. CBP Officer conducted a visual inspection of the interior of the vehicle and discovered what appeared to be people concealed beneath a blanket in the extended cab of the vehicle. The vehicle and all occupants were escorted into secondary inspection.

In secondary it was determined that the United States passport presented by Defendant was photo substituted and the California Driver license was counterfeit. Law enforcement database queries revealed the vehicle was reported stolen and is registered in a name other than Defendant's. Seven people were removed from the rear seat area of the vehicle and were determined to be undocumented aliens and citizens of Mexico, four of the aliens were held as material witnesses and are now identified as Elvira VENTURA-Morales (MW1), Fabiana DIAZ-Casas (MW2), Antonio LOPEZ-Jara (MW3), and Jose Francisco LEON-Felipe (MW4).

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant denied any knowledge of the concealed aliens. Defendant admitted that the passport he presented was not lawfully issued for his use.

Material Witnesses were interviewed separately and admitted they are citizens of Mexico without documentation to enter the United States. Material Witnesses admitted they made the arrangements with unknown persons to be smuggled into the United States for a smuggling fee ranging from $2,000 USD to $4,000 USD. Material Witnesses stated they were en-route to different locations in the United States to seek employment.

Executed on this 24th day of May, 2008 at 2100 Hours at the San Ysidro Port of Entry.

[signature]

Jacob James / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page, I find probable cause to believe that the defendant named therein committed the offense on May 24, 2008 in violation of Title 8, United States Code, Section 1324.

[signature]

MAGISTRATE JUDGE

5/25/08 @ 10:22 a.m.

DATE / TIME